



# PREPROPOSAL STATEMENT OF INQUIRY

(RCW 34.05.310)

CR-101 (7/22/01)

Do **NOT** use for expedited rule making

**Agency:** Washington State Department of Ecology A. O. 01-10

**Subject of possible rule making:** The Underground Injection Control (UIC) Program regulates fluids, such as stormwater, that go to ground through UIC wells, such as, dry wells, catch basins, large on-site septic systems and other infiltration devices. Proposed amendments will include 1) revising the State UIC rule language to bring it current with new federal rule changes 2) bringing consistency between the rules that regulate UIC wells, Chapter 173-218, 173-216 and 173-226 Washington Administrative Code and 3) clarifying language in the rules.

**(a) Statutes authorizing the agency to adopt rules on this subject:**  
RCW 43.21A.445, RCW 90.48.035 and RCW90.48.080

**Reasons why rules on this subject may be needed and what they might accomplish:** The federal UIC rules were revised in 1999. The revision included definition changes and banning of 2 types of UIC wells nation wide. The federal amendments need to be included in the State UIC regulation to bring it current. The rule revisions will also bring consistency between the UIC rule, the State Waste Discharge and the Waste Discharge General Permit Program Regulations.

**(c) Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:**

The Washington State Department of Health and Department of Natural Resources regulates certain types of UIC wells. Updating existing memorandum of Understandings between the State agencies is part of the rule revision process. The Environmental Protection Agency regulates UIC activities on tribal lands. The State and Federal Agencies will be included in the public involvement process by mailings, providing the option to participate in advisory groups, and updates through the UIC web page.

**(d) Process for developing new rule (check all that apply):**

☐ Negotiated rule making

☐ Pilot rule making

☐ Agency study

X ☒ Other (describe) Advisory committees, such as the 10 City's Group, will be used with the proposed UIC rule revision. Mailings, dedicated UIC rule revision webpage, FOCUS sheets and news releases will be utilized to inform the public.

**(e) How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:**

(List names, addresses, telephone, fax numbers of persons to contact; describe meetings, other exchanges of information, etc.)

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UIC web page for updates, <http://www.ecy.wa.gov/programs/wq/grndwtr/uic/index.html>

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11/21/01